

# Chapter 09:

## State welfare benefits and tax credits

### 9.1 Introduction

This chapter gives a basic overview of the state benefits and tax credits currently available, who might be eligible, how to make a claim, and how to find help and additional information. It also summarises some of the proposed changes that are currently being considered by Parliament.

This is **not** intended to be a comprehensive guide: the benefits system is complex, and changes frequently. For more information, you could look at one of the websites listed in section 11.7, or consult the current edition of the *CPAG Welfare Benefits and Tax Credits Handbook*. See [www.cpag.org.uk](http://www.cpag.org.uk)

### 9.2 An overview of the state benefits system

There are many different types of benefit. Some benefits are based on contributions that the person has made whilst working, such as contribution-based Jobseekers' Allowance (JSA) or retirement pension, and are not means tested. Some depend on the person's circumstances; e.g. if they have a child they can get child benefit. Others are 'safety net' type benefits that are means tested - for example tax credits or income support - and the amount paid depends on the person's income and savings.

Survivors who have just left their abusive partner

and do not have any income of their own are likely to be entitled to one of the main means tested benefits: i.e. Income Support, Job Seeker's Allowance, Employment and Support Allowance, or Pension Credit.

It is important to note that most benefits have residence, presence and immigration tests. Anyone who might be affected by these, for example women on a spousal visa, people from the EU, and those 'subject to immigration control', will need specialist advice. (See also Chapter 11 on women with no recourse to public funds.)

### 9.3 Claiming Benefits

To be entitled to a benefit, the survivor will need to make a claim. This will usually be by filling in a form or making a claim via the telephone either to the Department for Work and Pensions (DWP) for benefits, or Her Majesty's Revenue and Customs (HMRC) for tax credits and child benefit.

In order to make a claim for benefits or tax credits, the survivor will need her National Insurance (NI) number. If she has forgotten it, and is not able to find any official paperwork with it on<sup>69</sup>, then she can get a reminder from the HMRC by completing and returning form CA5403, or by contacting the National Insurance

<sup>69</sup> e.g. a payslip, tax return, or P60 given to her by her employer at the end of each tax year.

Registrations Helpline on 0845 9 15 7006<sup>70</sup>.

The claimant will also need to provide other information; for example, proof of identity, regular expenses such as rent or council tax, or proof of earnings, bank statements, etc. Claims should not be delayed if this information is not available immediately. Time limits for claiming benefits are very strict, and whilst some benefits can be backdated, important benefits like JSA are very difficult to backdate.

Nothing specific is required in order to prove identity: the claimant should supply anything they have available. Letters from solicitors, or anyone supporting the survivor would be acceptable; for example, a letter from a refuge worker with the survivor's name and details on it. Duplicate birth certificates can be obtained from the place where the claimant's birth was registered, or from the following Government website: [www.gro.gov.uk/gro/content/certificates/default.asp](http://www.gro.gov.uk/gro/content/certificates/default.asp).

The DWP/HMRC cannot insist on the claimant producing documents that either do not exist or she does not have; and if obtaining document would put her at risk of physical or mental harm, she should make this clear and ask the DWP to make a decision on the information they have.

If the survivor was previously claiming benefits when she was with her abuser, the survivor may need to provide information about these, and if

possible some proof of payments made. If she has not made a claim before, the bureaucracy could be intimidating, and it can take some time to get into the system, so she needs to be prepared to wait. There are no legal time limits for how quickly a claim should be determined, but specialist advice should be sought if hardship is caused by delay, and a crisis loan might be available.

Once a benefit is in payment, it is very important that the woman is aware that she has a duty to notify the authorities of changes in her circumstances. Failure to do so is a common cause of overpayments and some failures can result in prosecutions for fraud.

Jobcentre Plus is the main agency for people of working age (16 – 65 years) to claim benefits. Jobcentre Plus is part of the Department for Work and Pensions (DWP) and administers a number of benefits, including the main means-tested benefits likely to be claimed by survivors: i.e. Income Support (IS), Jobseeker's Allowance (JSA), and Employment and Support Allowance (ESA). Claims for these benefits can be made via the national contact centre on 0800 055 6688. The forms can also be found online on the DWP website<sup>71</sup>.

These benefits do not include amounts for children, for whom tax credits should be claimed. Claim forms for Tax Credits can be obtained by calling the tax credit helpline on 0845 300 3900.

## 94 What welfare benefits are currently available?

The welfare benefits system is complex, and the types and rates of benefit available, and eligibility for each change frequently. Here we outline the main benefits available to survivors at the time of writing (December 2011)<sup>72</sup>. Later in the chapter, we also outline some of

the changes proposed in future. We cannot be responsible for any future changes and it is important that you check the current position at the time. (See section 9.7. below on getting help and advice.)

(i) **Child benefit** is a benefit for people who

<sup>70</sup> See <http://search2.hmrc.gov.uk/kb5/hmrc/forms/view.page?formid=3643&record=WCHbIKPNSXc>

<sup>71</sup> See [www.dwp.gov.uk/publications/claim-forms/](http://www.dwp.gov.uk/publications/claim-forms/)

<sup>72</sup> Currently, the Welfare Reform Bill 2011-12 is making its way through Parliament. The Bill provides for the introduction of a 'Universal Credit' to replace a range of existing means-tested benefits and tax credits for people of working age, starting from 2013. This will have an enormous impact on what survivors will be able to claim, how, and in what circumstances.

are responsible for a child or 'qualifying young person', i.e. someone under 16, or aged 16-19 if in certain types of education. To be responsible for a child the claimant must live with them or contribute to their maintenance. An award of child benefit will usually mean other authorities treat the person as being responsible for the child; for example the local authority when considering the person's housing needs.

Child benefit is not means tested and is claimed from HMRC, normally by the mother. If a mother is receiving child benefit and leaves her partner, she will continue to be entitled to it. If child benefit is claimed and another person is already receiving it (e.g. the survivor claims it but the abuser is already getting it) these are called competing claims. Even if it is not disputed that the child now lives with the survivor, the abuser may still retain entitlement for 3 weeks. If there is a dispute about who actually has care of the child, i.e. whom they live with, it could take HMRC some time (weeks, or even months) to decide who should be paid Child Benefit. Specialist advice might be needed if this happens.

**(ii) Income Support (IS)** is a benefit that provides basic financial support for people on a low income, and who, because of their circumstances, are not expected to sign on to look for work. To qualify the person must not be a full time student, nor should they (nor a live-in partner) be in full-time work; and they have to pass the means test.

The main groups of people who can claim IS are:

- lone parents responsible for a child under <sup>73</sup>
- pregnant women for the 11 weeks before and 15 weeks after giving birth
- carers, i.e. those getting carer's allowance for

looking after a disabled person.

Amounts for children are not included in IS, and the survivor must claim tax credits for them.

IS is a 'passporting benefit'<sup>74</sup>, and it can therefore help the claimant get maximum housing benefit and council tax benefit, as well as free prescriptions, free school meals, and so on. Extra amounts can be paid if the claimant is disabled or a carer; and an amount for housing costs for homeowners can be included.

After making a claim for IS, most people, including single parents, will still have to go for a work-focused interview as a condition of receiving benefit.

**(iii) Employment and Support Allowance (ESA)** is for people with an illness or disability (including a mental health condition) that affects their ability to work, and is intended to help them move into work. ESA can be either contribution-based or income-related. Income-related ESA is subject to a means test. ESA has an 'assessment phase' during which people are paid only a basic amount and undergo a medical assessment. They may be expected to start considering and preparing for future work: only the most severely disabled will be permanently exempt from considering and/or preparing for work in the future.

*when you're on ESA you have to go through a medical and because I was getting stress-related headaches and I was depressed because of my living circumstances – they wouldn't believe me. So I failed [the medical] and my money was stopped and I had to appeal against it and put in new evidence and I was accepted then....*

**Maleka**

<sup>73</sup> This will soon change to 5 years. There are and will be some concessions exempting survivors of domestic violence from actively looking for employment for a short period. See under Job Seeker's Allowance below

<sup>74</sup> "Passporting benefits" are those which mean that the person entitled to them is also automatically entitled to other benefits, such as free school meals and free prescriptions.

*... I went on ESA for 3 months and then I had to go to one of these medicals. It was a bit of a nightmare. I had to explain my situation to a woman in a room and she was sat there typing it into a computer, and it turned out they took me off it because they said I was fit to work, basically, even though my head wasn't right. Obviously me and my kids had just gone through all that palaver with my husband and they were like, "No, you're fit to work"... In the end I just didn't have the physical strength to appeal it, so I just went back on JSA. **Stacey***

Amounts for children are not included in ESA, and the woman must claim tax credits for them.

As with IS, income-related ESA is a passporting benefit, and can help the claimant get maximum housing benefit and council tax benefit, and free prescriptions, free school meals, etc. An amount for housing costs for homeowners can be included.

Those who are employed at the point they develop an illness or disability that affects their ability to work will usually be able to claim Statutory Sick Pay from their employer for their first 28 weeks of sickness.

**(iv) Jobseeker's Allowance (JSA)** is a benefit that provides basic financial support for people who are out of work and are expected to sign on as available for work and actively to seek work. JSA can be contribution-based and/or income-based. To qualify for income-based JSA, the client must not be a fulltime student nor should they (or their partner) be in full time work; and they must pass the means test.

Entitlement to and payments of JSA can be refused, reduced or suspended completely if the client fails to look for work or places too many limits on the type of job they say they will accept. Lone parents and those with responsibilities for looking after children are allowed to place some restrictions on the type of work they are looking for and limit their availability for work to fit in with their childcare responsibilities. They can also get hardship payments if they have their benefit suspended, or if they are sanctioned for failing to meet the rules.

Survivors can also use rules which allow those dealing with a 'domestic emergency' to be exempt from looking for work for four periods of a week in any one year; if they care for a child under 16 and are dealing with a domestic emergency; and this can be extended to a total of 11 weeks<sup>75</sup>. (The Government is expected shortly to introduce rules to exempt victims of domestic violence from the job seeking rules for the first 13 weeks of their claim.) Survivors – or those supporting them – should therefore seriously consider disclosing abuse when they make their claim for JSA.

Amounts for children are not included in JSA, so the survivor must claim tax credits for them. Income based JSA is a passporting benefit, and can help the person get maximum housing benefit, council tax benefit, free prescriptions, free school meals etc. An amount for housing costs for homeowners can be included.

**(v) Pension Credit (PC)** is a means-tested benefit for people on a low income who have reached the retirement age. The retirement age for women is currently somewhere between 60 and 65 depending on her date of birth<sup>76</sup>.

<sup>75</sup> The rules are complicated: a claimant dealing with any of following circumstances is treated as available for work for the time taken to deal with those circumstances (up to a maximum of a week and no more than 4 occasions allowed in any 12 month period): death or serious illness of a close relative or close friend; domestic emergency affecting her or a close relative or friend; funeral of a close relative or friend; or the person in respect of whom the claimant had caring responsibilities has died. A claimant with caring responsibilities for a child (and to whom either of the first two points applies) can be treated as available for up to 8 weeks, but only once per 12 month period. That one 8 week period counts as the first of the 4 shorter periods all claimants are allowed, i.e. after an 8 week period they can then have 3 more one week periods. "Domestic emergency" is not defined anywhere but would include needing to leave home due to domestic violence.

<sup>76</sup> See <http://pensions-service.direct.gov.uk/en/state-pension-age-calculator/home.asp>

**(vi) Housing Benefit (HB)** is a means-tested benefit claimed from local authorities by tenants to help pay their rent. It can be paid to those who are in or out of work. People in private rented accommodation could find they have their HB restricted if their rent is higher than the local housing allowance for their area. People in local authority or housing association accommodation will not have their HB restricted in this way. People entitled to IS, income-related ESA, income-based JSA or PC are normally entitled to have all their eligible rent covered by HB. For more on housing benefit, see Chapter 6.

**(vii) Council Tax Benefit (CTB)** is a means-tested benefit claimed from local authorities and helps people who are liable for the council tax with their payments. It can be paid to those who are in or out of work. People entitled to IS, income-related ESA, income-based JSA or PC are normally entitled to have all their council tax covered by CTB.

**(viii) Statutory Maternity Pay (SMP)** is paid to women who are (or recently have been) employees, and who take maternity leave. It is claimed from and paid by the employer. The woman has to have been working for the employer for 26 weeks up to and including the 15<sup>th</sup> week before the baby is due. It is paid for a maximum of 39 weeks.

**(ix) Maternity Allowance** is a benefit for women who are pregnant or have recently given birth. It is usually claimed by those who do not qualify for SMP for some reason, e.g. they are self-employed, or have not worked long enough (at least 26 weeks for the same employer) to get SMP.

**(x) The Social Fund** has a number of payments that can be relevant to survivors:

- **Crisis loans** can be claimed in an emergency

to help meet urgent needs; for example, if someone has no income at all and has to wait whilst a claim for benefit is assessed. The DWP strongly encourages people to claim at their nearest JobcentrePlus office by telephone; but claims can still be made on form SF401. This form can be sent to a JobcentrePlus office to be completed, or can be found online at: [www.dwp.gov.uk/publications/claim-forms/](http://www.dwp.gov.uk/publications/claim-forms/)

- **Budgeting loans** may be paid to meet specific type of expenses, such as a new item of furniture after being re-housed.
- **Community care grants** can be paid for items or expenses to help people live independently in the community, and to ease 'exceptional pressures' on families; for example after a relationship breakdown involving domestic violence.

Both budgeting loans and Community Care grants should be claimed writing on the approved form at a Jobcentre Plus office.

None of the above payments is guaranteed: they are discretionary decisions made by the DWP. In addition, for budgeting loans the claimant has to have been on IS, income-based JSA, income-related ESA or Pension Credit for the last 26 weeks. For a community care grant, they must be on one of these benefits when they apply.

- **Sure Start Maternity grants** are also part of the social fund, and comprise a lump sum of £500 for the claimant's first child. This is not a discretionary payment, but the claim must be made at the latest within three months of the baby being born, and on the day they claim, the woman usually has to be on one of the above named benefits; (though some tax credit claimants can also qualify).

In addition to the Social Fund, there are

a number of charities that make grants to individuals in need. Some will accept applications only via a third party, and others will expect an application to the Social Fund to have been made first. The publication *A Guide to Grants for individuals in Need* provides a list of local and national charities that make grants to individuals. Turn2Us also has a information on their website. See [www.turn2us.org.uk](http://www.turn2us.org.uk)

Survivors who are under the age of 18 are likely to have particular difficulties in claiming benefits. Most 16 and 17 year olds will be, or expected to be, in education. In some circumstances, however, they might be eligible either for JSA on the ground of severe hardship, or IS on the basis they are estranged from their parents due to physical or moral danger. The danger does not have to come directly from the parents, but could be because the young person has run away from home to escape someone else, either in the household or elsewhere. They can also get IS if they are 16 or 17 and in education (or a fulltime non-advanced student under 21) and have to

live away from their parents because they are estranged, or in physical or moral danger or there is a risk to their physical or mental health. If they are sick they can claim ESA.

In any claim a young person makes, she will have to explain why she is not living with her parents. This will clearly show that the parents are no longer entitled to claim benefits for her.

In such a case the onus would be on the parent to notify HMRC/DWP of the change in their circumstances, i.e. that the child had left home and they were no longer responsible for her upkeep. If the parents do not relinquish the claim for benefit, the DWP cannot refuse to pay the young person on the grounds that her parents are getting a benefit for her if the young person is telling them she no longer lives there and is in danger or estranged. In practice, however, young people have great difficulty in making claims and any evidence ( including professionals who can back up their story) will help a great deal.

## 9.5 Tax Credits

There are two kinds of tax credit available - Working Tax Credit and Child Tax Credit. Both are claimed from and paid by HMRC.

- **Child Tax Credit (CTC)** is available to people responsible for a child or young person, whether or not they are in paid work, provided that their income from all sources is below a certain amount. The amount awarded also depends on the number of children for whom the claim is being made and whether any of them are disabled.
- **Working Tax Credit (WTC)** is a payment to top up earnings the of people who are working but on low incomes, (whether or not they have children). Lone parents have to work at least 16 hours a week to qualify.

Extra amounts are payable to disabled people, those who work 30 hours or more a week, and those who have childcare costs.

Both kinds of tax credit are claimed on the same form. New claims will usually run from the date of the claim until the end of the tax year in April, and then yearly from that date. Claims need to be renewed every year. With ongoing claims, generally the amount paid is based on income for the previous tax year – though this will not be the case for those who have separated from a partner during the tax year, and have reported that change (as they should do).

Note that if tax credits were being claimed by the abuser on behalf of a couple when they were together, the survivor should notify

HMRC immediately after separating, and make a new claim in her own right. If the survivor is also getting IS, income-based JSA, income-related ESA or PC, she will then normally get maximum tax credits.

CTC is normally claimed by and paid to the main carer of the children, who will in most cases be the survivor herself; but she will still need to inform HMRC of her changed circumstances as soon as possible

If a survivor is getting CTC for a child under 16 who herself has a child, the survivor can claim CTC for that child.

**Overpayments** are a major problem with tax credits, especially when couples separate. Both members of a couple on a joint claim are liable to repay the overpayment, even if it was caused solely by one member; ( e.g. if the abuser was reporting his earnings incorrectly).

Survivors should notify HMRC immediately if their situation changes – e.g. on ceasing to be part of a couple, or ceasing to be a lone parent. If a survivor is overpaid because of a failure to do this, she can ask HMRC to 'offset' the amount of tax credits she was incorrectly paid as part of a couple with that she is correctly

entitled to as a lone parent. New claims based on new circumstances can only be backdated 3 months.

Changes which have to be reported to the HMRC within one month include:

- no longer being part of a couple<sup>77</sup>;
- becoming part of a couple;
- ceasing employment; or shortening working hours below 16 hours a week (if a single parent) or 30 hours per week (for those not responsible for a dependent child);
- no longer being responsible for a dependent child.

People cannot appeal against decisions on the recoverability of overpayments. Instead, they have to ask the HMRC to exercise their discretion; and then - if they are not happy with the outcome - make a complaint about the decision.

For more information on dealing with tax credits when circumstances change, see the Fact Sheet from Gingerbread<sup>78</sup>. Survivors could also contact the Tax Credit helpline on 0845 300 3900 or see [www.hmrc.gov.uk/taxcredits](http://www.hmrc.gov.uk/taxcredits)

## 9.6 Appealing a decision

There is a right of appeal against most decisions on benefits, including whether the claimant is entitled or not. The time limits for appealing are very strict, however: usually the claimant has to appeal within one month. Mistakes by the DWP and HMRC in deciding on and calculating entitlement are common, but the person could lose out if they do not appeal in time. Decisions about whether an overpayment can be recovered can be appealed (except when this is an overpayment of tax credits; see section 9.5 above). Appeals

should always be made in writing (and the applicant should always keep a copy) and should state simply the decision being appealed against and why the person thinks it is wrong. It is often worth getting additional advice if an appeal is to be undertaken.

In some cases - if, for example, the claimant is accused of benefit fraud where this might have been primarily perpetrated by the abuser, or she was coerced into making a fraudulent claim - there will be no easy solution,

<sup>77</sup> Couples include those in same sex relationships

<sup>78</sup> See [www.gingerbread.org.uk/FactSheetsDetail.aspx?FactSheetid=20&ref=http%3a%2f%2fwww.gingerbread.org.uk%2fFactsheets\\_Results.aspx%3fKeyword%3d%26FactSheetCategoryID%3d1](http://www.gingerbread.org.uk/FactSheetsDetail.aspx?FactSheetid=20&ref=http%3a%2f%2fwww.gingerbread.org.uk%2fFactsheets_Results.aspx%3fKeyword%3d%26FactSheetCategoryID%3d1).

and specialist advice is recommended. If she is charged with the criminal offence of fraud, she should seek advice from a criminal solicitor; as the defence of duress might be available. The issue of duress might also be a defence in cases of

overpayment: i.e. the survivor could ask the DWP to waive recovery on the grounds that she had been acting under duress - though this could be difficult to prove, and evidence would be crucial.

## 9.7 Getting help and advice

There are a number of organisations which can help with checking entitlement to benefits and tax credits. For example, the Citizens' Advice Bureau hosts an Advice Guide website with information on claiming benefits and tax credits<sup>79</sup>.

Turn2us is a charitable service which helps people access the money available to them, through welfare benefits, grants and other help. It provides a benefits checking service, which can be useful in enabling people to claim everything to which they are entitled to<sup>80</sup>.

DirectGov provides information and offers the

facility for claiming for benefits online<sup>81</sup>.

Child Poverty Action Group (CPAG) publish an annual Welfare Benefits and Tax Credits Handbook for advisers, detailing who can claim benefits and tax credits, how housing benefit and council tax benefit are calculated, how to claim from the social fund, and how to challenge decisions. They also have a wealth of other information, including a personal finance handbook for individuals. See [www.cpag.org.uk](http://www.cpag.org.uk)

The DWP also has a Benefits Enquiry Line for disabled people and carers, 0800 882 200.

## 9.8 The proposed changes under the Welfare Reform Bill 2011-12

The Welfare Reform Bill 2011-12 provides for the introduction of a "Universal Credit" to replace a range of existing means-tested benefits and tax credits for people of working age, starting from 2013. The Government believes the new benefits system will improve work incentives, simplify the system and tackle administrative complexity.

Universal Credit will be a means-tested credit for people of working age, i.e. up to the age at which people qualify for Pension Credit. It is intended that, from 2013/14, Universal Credit will replace most of the means-tested benefits and tax credits in the current system, apart from Council Tax Benefit and Pension Credit. Currently, it is not clear whether the introduction of Universal Credit will mean

changes will be made to Carer's Allowance. Initially, Universal Credit will only apply to new claims but gradually, over a period of several years, people with existing benefit claims will be transferred onto Universal Credit.

Claims will be made by households rather than by individuals. A couple can select which of them gets the money, and if they cannot agree, the DWP will decide. This could potentially impact on households where there is domestic violence (including financial abuse), and could also pose additional problems when someone leaves her partner. Also, amounts for children will not, like tax credits, be paid automatically to the main carer.

There will be the ability to split payments

<sup>79</sup> See [www.adviceguide.org.uk/index/your\\_money/benefits/help\\_for\\_people\\_on\\_a\\_low\\_income\\_-\\_income\\_support.htm#how\\_to\\_claim\\_income\\_support](http://www.adviceguide.org.uk/index/your_money/benefits/help_for_people_on_a_low_income_-_income_support.htm#how_to_claim_income_support)

<sup>80</sup> See [www.turn2us.org.uk/benefits\\_search.aspx](http://www.turn2us.org.uk/benefits_search.aspx)

<sup>81</sup> See [www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On\\_a\\_low\\_income/DG\\_10018708?PRO=hp&CRE=pop](http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/On_a_low_income/DG_10018708?PRO=hp&CRE=pop)



between the members of a couple, but the DWP says that the power to split payment will only be used in exceptional cases, such as in cases of hardship or relationship breakdown. For example, a woman whose partner is getting the money but not allowing her and/or the children to use it could ask the DWP to split the payments, or to pay all the money to her. The DWP will then make the decision according to its discretion, and it is unlikely that there will be a right of appeal.

For people who rent, the amount for housing costs will be worked out in a similar way to the support provided by Housing Benefit under the current system. The intention is to make payment to the claimant as part of the Universal Credit, rather than directly to the landlord. (While this is aimed at encouraging people to manage their own budgets, it could potentially cause further problems in households where financial abuse is an issue). As Universal Credit is only for working age people, pensioners who have rent costs and/or dependent children will need to be supported in a different way.

Under the proposed system, more will be expected from claimants who are out of work, or in work but earning below the threshold; and there will be financial sanctions for not complying with the relevant commitments. However, there will continue to be (as now) partial exemption from active job-seeking for those who have experienced recent domestic violence: currently those providing written evidence of abuse from their doctors or relevant support organisations are eligible for an automatic deferral period of 13 weeks without being available for work and JobcentrePlus advisors can use their discretion to extend this deferral by a further 11 weeks.

Contributory Jobseeker's Allowance, Employment and Support Allowance, Disability Living Allowance and Child Benefit will continue to exist alongside Universal Credit and other benefits, including Statutory Sick Pay, Statutory Maternity Pay, Maternity Allowance, Industrial Injuries Disablement Allowance and Bereavement Benefits, will remain as under the current system.

The Welfare Reform Bill also proposes other significant changes to the benefits system:

- It will introduce Personal Independence Payments (PIPs) to replace Disability Living Allowance.
- Crisis loans and Community Care Grants will be abolished. People will have to apply to their local authority instead, but there will be no new duty on local authorities to help people in need.
- Housing Benefit entitlement will be restricted for social housing tenants whose accommodation is deemed to be "larger than they need".
- Local Housing Allowance rates will be updated according to the Consumer Price Index.
- The statutory child maintenance scheme will be amended.
- Payment of contributory Employment and Support Allowance will be limited to a 12-month period.
- The total amount of benefit that can be claimed by non-working households will be capped.

For more information on "Universal Credit: Welfare that works", see the Department for Work and Pensions website<sup>82</sup>.

<sup>82</sup> [www.dwp.gov.uk/policy/welfare-reform/legislation-and-key-documents/universal-credit/](http://www.dwp.gov.uk/policy/welfare-reform/legislation-and-key-documents/universal-credit/)

## 9.9 Summary

- The benefits system is complex and difficult to negotiate. Specialist advice is often needed.
- Types and rates of benefit, and eligibility change frequently.
- Benefits are dealt with by the DWP and tax credits and child benefit by HMRC.
- The Welfare Reform Bill 2011-12 proposes major changes to the system, but these have yet to be finalised.
- It is important to check the eligibility for benefits, amounts that can be claimed, and other matters with one of the national or local benefits advice agencies.
- Links are given to websites where more information can be found, or you could consult the current edition of the CPAG *Welfare Benefits and Tax Credits Handbook*.  
**[www.cpag.org.uk](http://www.cpag.org.uk)**